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(PRIVATE AND CONFIDENTIAL.)

1.

HALIFAX, 28th Nov., 1870,  
No. 18 Morris Street.

SIR,—I have before me your letter to a Baptist minister in the western part of the province, dated Feb. 10th, 1870, from which I extract the following :

"You will see by the *Messenger* of this week, that our good Baptist brother, Mr. Rand, has been expelled from the office of Superintendent of Education. The real cause is his opposition to Roman Catholics. It was a plot in which Judge Johnston joined and helped remove Mr. Rand. Mr. Rand opposes Separate Schools. Mr. Hunt has declared himself in favor of Separate Schools. So he will be a good tool in the hands of the government in serving the Papists."

I beg to enquire on what grounds you made the imputation respecting me, which is conveyed in the extract I have quoted above.

I am your obedient servant,

J. W. JOHNSTON.

To the Rev. E. M. SAUNDERS,  
(Granville St. Baptist Church,) Halifax.

2.

HALIFAX, Dec. 2nd, 1870.

SIR,—Your letter of the 28th ult., has been received. In reply I have only to say, that I do not consider that you have put yourself in a position consistently and legitimately to make the enquiry your letter contains.

I am, Sir,

Your obedient servant,

E. M. SAUNDERS.

To Hon. JUDGE JOHNSTON.

3.

HALIFAX, 18 Morris St., Tuesday morning,  
6th Dec., 1870.

SIR,—Last forenoon I received your letter of the 2nd inst.—in which after acknowledging the receipt of my letter to you of the 28th ult.—you say :

"In reply I have only to say, that I do not consider that you have put yourself in a position consistently and legitimately to make the enquiry your letter contains."

The position I am in is merely that in which you have placed me by disparaging me behind my back; the enquiry I made was founded on the right which every man has to demand the grounds on which an injurious imputation has been cast upon him; and the obligation rested on you to answer my enquiry, which rests on every man who undertakes to circulate what is injurious to the reputation

of another—nor is it in your option to defeat this right, or to escape this obligation, by an unexplained ambiguous assertion made on your own authority.

If any reason does exist, I require you to let me know specifically what it is that precludes my right consistently and legitimately—to use your own words—to demand from you on what grounds you asserted as a fact that which reflected on my character—what it is that releases you from the obligation—an obligation which men of manly and upright principles cheerfully acknowledge—of either vindicating what you have published to my prejudice, or if that cannot be done, of making reparation by acknowledgement of the wrong.

I am, Sir,

Your obedient servant,

J. W. JOHNSTON.

The Rev. E. M. SAUNDERS, Halifax.

4.

HALIFAX, Dec., 1870.

SIR,—Your letter of the 6th inst., has been received. That I may be understood, and that your mind may be satisfied, I am convinced that it be necessary for me to draw somewhat on your patience in my reply, i. e. I must write more at length than I have done. This would take more time than I could conveniently give to it just now, as I need every moment that I can get to prepare a lecture which I am engaged to give in the country next Wednesday. As soon as possible after my return from the country, I will give at length a reply to your enquiries.

I am Sir, your obedient servant,

E. M. SAUNDERS.

To Hon. JUDGE JOHNSTON.

5.

18 MORRIS STREET, Saturday.

SIR,—In reply to your note stating that your engagements made it inconvenient for you to answer my letter until you return from the country, I beg to say I have no wish to put you to unnecessary inconvenience, and shall wait your return before looking for a reply.

I am your obedient servant,

J. W. JOHNSTON.

The Rev. E. M. SAUNDERS.

6.

HALIFAX, Dec. 20th, 1870.

SIR,—On reperusing your letter of the 6th inst., I find that it does not require as lengthened a reply as at first appeared necessary.

You do not seem to see why you have not put yourself in a position consistently and legitimately to make the enquiry contained in your letter of the 28th ult.

Let me ask you to consider whether you ought not before making that enquiry to have furnished me with the means of ascertaining whether the letter from which you made your extract was genuine or not? and whether you ought not to have stated that you had no lot or part in the matter of Mr. Rand's dismissal?

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You certainly will admit that it is due to me to know whether the letter from which you quote was written by me or not,—the which I would be unable to affirm or deny from any information I possess at the present time.

It is, I trust, unnecessary for me to add, that when you shall have satisfied me of the genuineness of the letter from which your quotation has been taken, and shall disavow participation in Mr. Rand's removal from the office of Superintendent of Education, I shall not (referring to the language employed in your letter) attempt "to defeat this right or to escape this obligation."—a right which, as it appears to me, you then may possess, and an obligation which you then consistently and legitimately may regard as binding on me.

I am Sir, your obedient servant.

E. M. SAUNDERS.

TO HON. JUDGE JOHNSTON.

7.

HALIFAX, 18 Morris Street,  
Friday, 30th Dec., 1870.

SIR,—Hitherto in this correspondence I have exercised the utmost forbearance. In my first letter, I merely put before you your own language, and sought to know your grounds for the injurious imputations it conveyed. So, in replying to your ambiguous and evasive answer, I passed by its unworthy character, and contented myself with shewing you my right and your duty relatively as the aspersed and the aspersor. And had you regarded aright the plain truths my letter taught, your evasions would have ceased. You, however, prefer to continue a course which now imposes on me the disagreeable task of exposing excuses which I cannot but despise, and to do so with a plainness I would willingly have avoided. In your letter of 20th Dec., received on the afternoon of the 22nd, you gave the reasons which you profess to think warrant you in denying my right to call for the grounds on which you had written prejudicially of me. These reasons are two—First, I ought, you say, to have furnished you with the means of ascertaining whether the letter from which I made my extract was genuine or not. This objection would not be unreasonable provided you really had a doubt on the subject. If you have not a doubt, it is an evasion, the most disingenuous and insignificant. Looking at the letter, its object, and the influence in promoting that object which the calumnies were likely to exercise, it would be degrading charity into unreasoning credulity to believe that you could fail to recognize the extract I placed before you, or to recall your own production of which it formed part. Yet it is of this you have not hesitated thus to write in your last note to me: "You certainly will admit that it is due to me to know whether the letter from which you quote was written by me or not, the which I would be unable to affirm or deny from any information I possess at the present time." As your self-respect has not sufficed to restrain you from this reckless assertion, I will put the letter in the hands of some gentleman to be shown to you and immediately returned to me. The other excuse you assign is that I ought to have stated that I had no lot or part in the matter of Mr. Rand's dismissal.

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I can only look on this as a crafty and most unworthy device for evading altogether the duty that rests on you—for I cannot give you credit for so great ignorance as to believe that you did not know that so insulting and unreasonable a demand would be treated with the contempt it merits. The offence you committed against me was of an aggravated character. It was done privately, and might never have come to my knowledge, and in fact it was a long time before it did so. It was done deliberately and with a purpose; and your assertion was absolute and unqualified: "it was a plot in which Judge Johnston joined." Such was your language. You spoke not of your belief or of report—it was a positive declaration, which imported actual knowledge, and which nothing could justify you in making but distinct and certain proof. If you had such proof, produce it now and vindicate yourself, if you had not—then were you a deliberate slanderer. The time to have made the inquiry, if ever you had a right to do so, was *before* you published the injurious assertion; *then* it would at least have had the legitimate object of saving me from the effect of a concealed calumny and you from the offence of circulating it. *Now* it is too late, when as regards me you have inflicted all the injury in your power and its only object can be if possible to afford you a mean escape. Your excuses and evasions but establish more strongly your offence and you stand at present as a malicious slanderer, seeking to escape from a responsibility you have yourself created, for it was your own act to drag my name into your letter and to give secret currency to the calumny; your own choice to reject the opportunity afforded you by the moderation of my previous notes of meeting my claim under the least embarrassment possible under the circumstances, and your own preference to adopt an uncandid and tortuous course, instead of making a frank admission of your letter and meeting my claim in a manly and honorable manner.

I am your obedient servant,

J. W. JOHNSTON.

To the Rev. E. M. SAUNDERS,  
(Granville St. Baptist Church,) Halifax.

S.

HALIFAX, Jan. 11th, 1871.

SIR,—Upon the request in your second letter, I stated two reasons why, in my judgment, you had not entitled yourself to make the enquiry your first letter contained. Either of those reasons I consider valid and sufficient. One was that you had not furnished me with the means of testing the genuineness of the letter referred to by you; and I told you frankly that I was unable to say whether I had written the letter or not. From the character of your reply, I am obliged to make a few remarks on this point which ought not to have been required of me. To have answered the enquiry of your first letter would have been to prove the correctness of an assertion which I did not recollect having made; or failing my ability to do that, I should have had to apologize for language I might never have used, and did not remember having used. That was a position you



had no right to place me in, and I cannot do your intelligence the injustice to suppose that you did not know it. You held back and concealed what, in your last letter, you acknowledge I had a right to know. You came to me asking the grounds of an assertion, but keeping back from me the knowledge whereby I might assure myself whether I had made the assertion or not. That imposed upon me what ought to have been an unnecessary task—that of asking fair dealing at your hands. In your last letter you acknowledge the soundness of my position on this point. But in making the acknowledgment you have recourse to a most unworthy device—you assumed most unwarrantably to judge me. You resorted to the expedient of doubting the truthfulness of what I wrote you, rather than admit by a frank and unqualified acknowledgment that you had not qualified yourself to make your first inquiry. And you force me to remind you that when you impeach my veracity and assume to speak of “reckless assertion,” your own words should be consistent and correct. Turn to your first letter. You there write, “I beg to enquire on what grounds you made the imputation respecting me which is conveyed in the extract I have quoted above.” In your last letter you write, “In my first letter I merely put before you your own language, and sought to know your grounds for the injurious imputation it conveyed.” Your intelligence ought to assure you that you did no such thing—the difference between the two writings being as great as that between light and darkness. I disputed your right to call upon me for the grounds upon which the assertion in the “extract” rested. You asked me on what grounds the imputation respecting you contained in certain language you quoted was based. You did not say in your first letter that the imputation was unjust. You did not say that you had unjustly suffered, or that any wrong had been done you. Had you been wronged, had the language in the extract been unjust toward you, and had you been seeking for a reparation of the wrong from which you believed that you were suffering, I could scarcely believe you would not have said so; but you did not. Not disputing the correctness of the language in the “extract,” and not saying that you had been injured, and not asking for any acknowledgment or amends of a wrong done you, the object of your enquiry would seem to be, to learn whether the writer had the right grounds for his assertion. Then I say further (and I care not that you call it a sign of ignorance) that it is a reasonable and most proper thing that you should deny the justness of the assertion before imposing upon any one the obligation of stating the grounds on which it rests. If the Editor of a paper published a statement injurious to me, and I should go to him, and demand his authority for it, he would inform me that compliance with such a request was not customary, until a denial of the justness of the statement was made by the person affected. But if it is true that you joined in a plot, and helped remove Mr. Rand, then I say the person who wrote thus of you to the Rev. G. D. Cox—a Baptist minister—did you no wrong, and not having done you any wrong, not having “imputed” what was not correct, it is hardly a proper or reasonable thing,

that you should impose on him the obligation of giving you the grounds on which the assertion rested.

Returning to your assumption and exercise of the right to judge me without charity because of the following statement in my letter, "Whether the letter from which you quote was written by me or not \* \* \* I would be unable to affirm or deny from any information I possess at the present time," I am compelled to say a few words. You certainly have had a rare experience, if you are not aware that it is quite possible for a person not only to fail to remember what he never did, but also to be unable to recall what he may actually have done. I told you truly that I was not able to recall the writing of the language in question, and, as a christian gentleman, you were bound to accept my statement. I told you further that I was unable to deny that I had done so. I possessed information from sources which I believed entirely reliable, which rendered it impossible for me to say that I might not have written the letter; and which, I think, would warrant me in believing that you were privy to steps taken to supersede Mr. Rand in the office of Superintendent of Education, and did, in fact, yourself exert much influence in effecting that result. I was told that you recommended Dr. Crawley as a suitable person to supersede Mr. Rand, and that although Dr. Crawley in declining the office so earnestly sought the appointment of Mr. Rand's confidential Clerk, that he was led to say in his recommendation of him what every one possessed of the means of judging, knew to be not in accordance with facts, yet your high recommendation of Mr. Hunt, secured the offer of the position to him. Mr. Hunt has himself stated, more than once, that he, at first, declined to assume the responsible duties of the office, but that influenced by the urgent solicitations of his friends in Dartmouth, of whom you were one, he finally consented to do so. He has also expressed his opinion more than once to the effect, that if he had declined to take the office, Mr. Rand would have been continued as Superintendent. I was told that a member of your family stated that he conversed with one or more members of the Government in reference to superseding Mr. Rand, a short time previous to the act being done. I was told that a very strong recommendation was written by you, setting forth that Mr. Hunt was well qualified to fill the place occupied by Mr. Rand, and that this paper with your consent was presented to His Excellency in Council, expressly for the purpose of furthering the determination of the Government to dismiss Mr. Rand, and that *confessedly* it did not fail of its object. And you do not need to be informed that the late Superintendent's dismissal came upon him, and indeed upon the whole country as suddenly as the explosion of a mine. He had long served his province with an ability and energy which had commanded the respect and confidence of the friends of education; and which assuredly entitled him, as a faithful public officer, to every reasonable consideration at the hands of the Government of his country. But without any intimation of neglect of duty, and without any knowledge of the designs of the Government, they, a few persons being

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in their confidence in this matter, of whom I was told you were one, resolved upon and consummated the steps which resulted in superseding Mr. Rand by Mr. Hunt. I was told that immediately after this act was completed, a member of your family used his influence to prevent any adverse criticism by a most influential portion of the press of the city. I was told that members of the Government stated that Mr. Hunt was appointed almost solely upon your recommendation, and that they had no personal knowledge of his qualifications. With such knowledge in my possession, of which that already given is but a part, from sources which I deem worthy of confidence, it was quite a possible supposition that I might have written the letter in question, even though I could not affirm that I had done so. If you deny the correctness of any important statement which I have given, I am prepared to give you my authority for the same. As I told you in my last letter, so I tell you now, I have no desire to escape obligation. Tell me specifically as you should at first have done that you took no part in the removal of Mr. Rand, that you did not help remove him, and I assure you that in as far as any obligation may rest upon me, the amplest justice shall be done you. I wish before closing this letter to call your attention to a most unaccountable proceeding connected with the conveying of your last letter to me. Mr. J., who, as he said, at your request, became the bearer of the letter took it unsealed from his pocket while in my study, and after putting it in an envelope which he had previously laid on my table, gave it unsealed to me. No apology or explanation was made. You bring many heavy and false charges against me in that letter, and crown all by aspersing me as a "malicious slanderer." Have I no rights? You charge me with slandering you, and before you give me the opportunity of vindicating myself, have you not committed this offence against me?

In conclusion let me say to you, that I am ready and willing to do you the amplest justice. When you show me that I have any where published of you what I had no right to publish, then I will give you in full the grounds I had for such publication; and if they are not sufficient to justify me, I shall most cheerfully do all in my power to make amends for any injury inflicted on you. Show me that I have done you a wrong, and no man lives, who would more readily or fully do all in his power to make reparation.

I am sir, your obedient servant,

E. M. SAUNDERS.

TO HON. JUDGE JOHNSTON.

o.

HALIFAX, 18 Morris St., 30th January, 1871.

SIR,—My engagements have prevented an earlier answer to your last letter.

It is repulsive to follow you in the disingenuous paths you have chosen.

The use you make of my acknowledgement of your right to have, if you required it, the production of your letter of 10th Feb., '70—the insinuation of intentional concealment and withholding of the

letter—and the pretence of inconvenience or injury to you from that cause, are all in different modes disingenuous perversions of the truth, which, as any intelligent person may perceive on reading the correspondence, I shall not condescend further to notice.

My disbelief of your assertion of forgetfulness as to the genuineness or purport of that letter, I have already sufficiently vindicated. Were confirmation needed you have furnished it in your last letter, from which it would seem that your memory serves you to recall seven or eight fugitive reports with circumstantial details, when that same memory, as you would have me believe, was unequal to recall the fact that you had put in the more substantial form of a letter what you say you might have written as the ground of these very reports, and that too when a copious extract was in your hand. To your renewed plea in behalf of slanderers that they who take up and circulate evil reports are privileged to withhold the grounds of their accusation unless the accused shall first condescend to vindicate themselves to those who have undertaken to impugn them, I have but to say, that if your sense of right is too weak to teach you better, further arguments would be wasted on you.

I gather (if I rightly apprehend your meaning in some obscure and involved sentences), that you draw some argument from my first note, not having charged in so many words that the imputation you had made respecting me was false and injurious. Your moral perception must be obtuse indeed if you could read my first note in connexion with the language of the extract from your letter, and suppose that I alluded to the imputation as other than injurious; and your common sense must have been greatly at fault if you supposed that I would demand your ground, if I had not known the imputation to be false. Again I remind you that my first application gave you the opportunity in the most favorable manner of vindicating yourself. If the inoffensive tone of my letter misled you it could only be because you chose to misconstrue, or were incapable of appreciating aright my moderation and forbearance. If you cast away the opportunity afforded you of vindication (if you had any) it was because you preferred the crooked to the straightforward and manly course; and it was time I should refuse to be longer trifled with by unworthy evasions, such as you had twice laid in the way of my just demand, to be informed of the grounds on which you had impugned me; and under these circumstances the pretence that you were accused before opportunity of vindication had been afforded, is but a bolder instance of the simple and direct truth being sacrificed to sophistry.

Your attempt to convey to me the grounds on which you had assailed me while withholding the admission that they *were* the grounds, or that you had, in fact, written at all, is cunning of a very low order—so weak and transparent that I shall treat the reports you detail as being the grounds and all the grounds on which you wrote, what, I shall take the liberty to assume, you did write, concerning me.

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the government with which I had no concern it could be no business of his or yours whether I did or not recommend Dr. Crawley or Mr. Hunt, or assist in procuring the appointment of the latter. But on that point the rumors themselves afford but scanty footing. You were told that a member of my family conversed with one or more members of the government in reference to superseding Mr. Rand; that I was in the confidence of the government in the matter; and that Mr. Hunt had expressed his opinion that if he had declined the office, Mr. Rand would have been continued. No man of ordinary education and experience has failed to learn how unreliable are rumors, and that what truth they have is commonly too exaggerated or distorted to be acted upon. But in this instance the story was too improbable to challenge the belief of any man of ordinary reflection. It was hardly credible that the government in a matter of importance in itself, and in its present and future bearing on themselves, would be influenced by any opinion of mine; and still more incredible that when they had so far advanced on their decision to remove Mr. Rand, as twice to offer the office to others as his successor, they would be turned aside in consequence of rejection by Mr. Hunt. By rejecting what was thus improbable and some of the minor circumstances what remained was in its principal features brought into a reasonable and harmless connexion. Assuming the government to have determined to dismiss Mr. Rand and supposing one or more of its members to have thought of Dr. Crawley as his successor, to consult some person intimate with that gentleman was a very likely thing to do—and if 'a member of my family' was the individual, the circumstances would naturally come to my knowledge and equally naturally would follow the recommendation first of Dr. Crawley and next of Mr. Hunt with both of whom it is well known I have been in habits of close intimacy for years, and the excellences of whose characters I ever have held in the highest estimation. Thus there was a reasonable interpretation of your rumors without the improbable notion that I had exercised or could exercise any influence over the government in a matter of this importance, or indeed in any matter beyond my testimony as regarded individuals after the vacancy had been decided on. Had you thus interpreted what you say you heard, you would have shewn some sense and integrity; and moreover you would have reached the truth as far as I had any concern in the matter. I hold the mirror to you that you may behold your conduct in the most favorable light in which it can be presented—and it shews you to have acted as a weak or a malignant man, taking up an evil report on evidence the most flimsy or rather without evidence and contrary to all rational probability. But unhappily the matter does not rest here. He who asserts positively as a fact what he does not know positively but what he has taken up on report is guilty of falsehood and practises deception on those to whom he makes the communication,—irrespective of his own belief or of the truth or falsehood of the fact alleged. This rule of moral action you grievously violated. "Judge Johnson" with unblushing boldness you positively asserted "joined

in a plot and helped to remove Mr. Rand " and the plot in substance was—to substitute Mr. Hunt as being a suitable tool in the hands of the government to assist the Roman Catholics to establish separate schools. All this you said on the ground of Hearsay alone "*I was told*" being the burden of your tale, and for the most malignant portions of the slander the poor excuse even of a Hearsay is wanting. I have nothing to do with the insult offered to Mr. Hunt, or with the aspersions on the government, or the Roman Catholics; nor yet with the childish spite of your uncalled for attack on Dr. Crawley, a man whose noble and truthful character is beyond the range of your appreciation. What I am dealing with is your assault on myself. Not only were you guilty of falsehood in asserting what you did not know, but you also assumed the heavy responsibility if you asserted of me what was—as it was—untrue, of basely slandering me; and you stand before me a man regardless alike of the restraints of truth and of just respect for the reputation of another—a slanderer—pouring your poison behind my back, under a concealment I might never have penetrated.

For such conduct I might have made you suffer in a manner that would have lastingly affected you in all your interests. I had no desire thus to injure you. Had you had sense and honesty enough in replying to my first note to have acknowledged regret that under strong excitement you had been led into giving to rumors a weight they did not deserve, I should have accepted your apology, however much I reprobated your conduct; and the matter would have ended. Instead of this my first note was met by an insulting evasion, and I have had to track you through petty artifices, and to reach the point at last by tearing from you miserable sophistries under which you have sought to evade my just claim.

You have yet to learn the obligations of truth and justice—to be taught that there is more wisdom in candour than in cunning; that artifice and truth hold no companionship.

If you draw these lessons from this correspondence its fruits will be wholesome however bitter.

I am your obedient servant,

J. W. JOHNSTON.

P. S.—Your complaint of what you style an unaccountable proceeding in the delivery of my last letter is mere childishness. There is nothing in the relation of this correspondence to make it improper if I saw fit to have sent you that letter open while the bearer held an open copy in his hand. I might have communicated in a more official manner. But the fact I believe is not as you state it. I gave Mr. J. the letter in a closed envelope, and so he tells me he delivered it to you. You must have labored under some strange delusion.

To the Rev. E. M. SAUNDERS.

10.

February 28th, 1871.

SIR,—At more than one stage in this correspondence, I have received unfair and discourteous treatment at your hands. I may have sacrificed something of my self-respect in silently bearing your unjust and vituperative language; but I have been strengthened in this course by the consideration that no degree of excellence of character has hitherto relieved others from the necessity of exercising towards you a long-suffering charity in this respect.

Let me briefly indicate the course of this correspondence.

You placed before me a quotation from a letter which you alleged had been written by me, and was in your possession, and asked me to give you the grounds on which I imputed to you what was conveyed by the "extract." In reply, I reminded you that you had not put yourself in a position in which you could consistently and legitimately make such an enquiry of me.

You seemed not to apprehend the obvious import of my reply, and required a specific statement from me wherein I considered you had not qualified yourself to make the demand contained in your first letter. In answer, I called your attention to the fact (1) that you were asking me to account for language without furnishing me the means of determining whether I had used it or not, and which, in point of fact, I was unable to determine from any information in my possession; and (2) that you had not denied the substantial correctness of what the extract imputed to you. I assured you that when these preliminary steps had been taken, I should acknowledge the obligation which your first letter sought to impose.

In response, while you were compelled to concede the first preliminary step, you thought it necessary to screen the unwilling concession by charging me with evasion and reckless assertion, and broadly assuming the right to impeach my veracity without grounds. But you declined to accede to the other preliminary step, although it had been in your power to do so, three words would have sufficed. Instead of compliance, however, you rained invective upon me, prejudging and maligning me, and forwarded your letter unsealed. In reply, I vindicated the justness of the 1st preliminary on its own merits—commented upon the ungracious way in which it had been yielded—reminded you that you should be slow to charge me with reckless assertion when you were crediting your first letter with language it did not contain—and showed that it was reasonable and proper to ask your compliance with the 2nd preliminary, since if the imputation was true, no wrong had been done you, in which case it would be unreasonable that you could impose on any one the obligation in question. Having done this I deemed it proper to vindicate my assertion, so uncharitably impugned by you, that I was unable from any information in my possession to affirm or deny having used the language contained in the "extract"—unable to affirm it because I could not recall having written the language in question; unable to deny it because I possessed information, from sources which I believed entirely reliable, touching your connection with Mr. Rand's dismissal (an act I may remark of wrong doing not against an individual only, but against every citizen) which rendered it impossible for me to say that I might not have done so—and I gave you "a part" of that information that you might not further presume to impeach my veracity, with the pledge that, if the statements were not correct, you should have the names of the gentlemen who had made them to me. I re-assured you, also, that I was ready to do you the amplest justice if you could show me that I had any where uttered what was untrue respecting you.



By way of reply, you stigmatize what I said of the right and necessity of compliance with the 1st preliminary as "disingenuous perversions of the truth," though you fail to adduce so much as a word to justify such a bold assertion. You re-assert your unwarrantable judgment of my veracity, and intensify the offence by irrelevant considerations respecting my ability to recall what, for the pertinency of your remarks, you choose to style, incorrectly, "fugitive reports." But you neglect to state by what power or authority you assume to yourself the right to judge both the consciousness and the conscience of another.

You plainly pervert what I have adduced in support of the reasonableness and propriety of the 2nd preliminary into 'a plea for slanderers'—that 'the slandered shall first vindicate themselves to those who impugn them.' You must know that compliance with the 2nd preliminary could in no way operate as a defence for slanderers, but, on the contrary, as a powerful protection against the annoyance which crafty and designing men might otherwise be privileged to inflict upon those who had spoken unpalatable truth. You well know that at bottom a statement must be false as well as injurious to morally justify the calling of its author a "slanderer." If a man asks redress of another for saying what reflects upon another's character, let him, at least, say that he is innocent of the imputation. If he cannot do so, he will be unable to simulate further the attitude of a wronged man, and will not have it in his power to molest and malign as a slanderer the person who had published of him nothing but what was true. That would be the necessary operation of the principle you treat with avowed contempt. You, of all men, must see that it has the support of common-sense and openness. Now you have assumed toward me the attitude of a wronged man, calling me a "slanderer," &c., &c., and asking reparation; yet you have persistently refused to comply with the 2nd preliminary, notwithstanding that such compliance, if it could be truthfully yielded, could not have prejudiced the right, and would have acceded to a condition which you have known from the first I have regarded as essential to qualify you to ask that reparation which you have all along professed to be seeking.

I do not see the pertinency of that passage in your letter under consideration in which you characterize an assertion of mine as "evasion" and "pretence," and as a 'bold instance of the simple and direct truth being sacrificed to sophistry.' You could not have offered it as a compliance with the 2nd preliminary, since you had but a moment before sneered at my ignorance, in urging the point, and treated it with undisguised contempt. The same remark will apply to a kindred instance in another part of your letter. That you have, regardless of the dictates of sound judgment and the exercise of common charity, hastened to fasten upon me your unjust accusations, cannot fail, I think, to be evident to you on reflection.

You take it upon yourself to stigmatise my telling you that I was reliably informed, as I believed, of your confidential relations with the government respecting the displacing of Mr Rand by another,

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and of your having used the powerful influence at your command to effect it, as "cunning of a very low order." How can you in honor say that? You must forget the circumstances of the case. Let me again recall them. Lawful means having failed you, you deliberately resorted to unlawful means that you might, as you forced me to believe, gratify your craving to impute falsehood to me. You assumed and exercised the right to judge me in that which was not a matter of objective evidence at all. You know this to be true, and you know equally well that such an act—altho' you have repeated it—is not only without the sanction of the laws of intelligence and morality, but a grievous offence against them. And when, notwithstanding your insult to me, I condescended to vindicate my veracity to you in respect of the statement about which you had ventured to impeach it, you deem it your privilege to attribute to me a motive and intention foreign both to that which I professed and to that which your imputation of falsehood necessitated. Am I not justified in saying that you did this, that you might have a pretext to apply the stigma of 'low cunning,' and thus shield yourself from the rebound of your own uncharitableness and folly? If the character of the statements called forth by your own rashness and presumption in imputing falsehood to me, necessarily revealed to you the fact that your inability to meet the 2nd preliminary was known to others than yourself and immediate friends, that surely could not justify you in wresting either my acts or my words, nor give you that unrestrained liberty of assumption which you have, sometimes avowedly and sometimes silently, thought it necessary to indulge in. And I cannot help remarking, by way of illustration of your methods, upon the manner in which you deal with the statements themselves. They were simple, explicit, direct. What did you do with them? Did you deny a single one of them? No, you did not. Instead, you set about making assumptions which the facts in your possession forbade and entered upon a long hypothetical discussion about "rumors," reminding me that they are often "unreliable," "exaggerated" and "distorted"; that one of the stories "was too improbable to challenge belief," and after moulding it to the liking of your own imagination you succeeded in bringing its principal features into a "harmless connection" with yourself. But your labor was all for naught, since, as you knew all the while, you were not dealing with unreliable, exaggerated, distorted rumors at all. I told you that I had the information which I gave you, "from sources which I believed entirely reliable," and "worthy of confidence," and that if you impugned the correctness of any important statement, I was prepared to give you my authority for the same. And you may rest in the assurance, which I doubt not you possess, that the names of the gentlemen referred to would be a sufficient answer to your insinuations about idle rumors. You doubtless knew this, and felt that every shred of consistency had been removed from you, and you prudently remained in a position where you might still use your imagination in weaving for yourself even so much as a flimsy and transparent covering. Why did you not rather challenge the

correctness of the statements themselves, or else acknowledge that you had assumed an innocence which you did not possess? That would have been honorable, however painful. But such a course would have obliged you to forego the linking of hypothesis to hypothesis by way of exhibiting to me a model of charitable interpretation, and holding up to me as in a mirror the workings of "sense and integrity." Such a lesson might not have been lost upon me, had you not forgotten that a charitable interpretation is not one which does violence to known facts, for charity cannot rejoice in iniquity, but in the truth; that "sense and integrity" forbid one to argue from assumptions which are false; and that your persistence in one of the most wantonly harsh and unlawful judgments respecting my veracity had disqualified you to instruct another in respect of charitable interpretation. Truly you show a rare courage in dealing tenderly with yourself. Unable to challenge statements involving you in the very act of which you desire to be thought innocent, and declining to confront their authors, you assume the air of exultation and say; 'evidence the most flimsy, or rather no evidence and contrary to all rational probability'! By such means it is that you find a pretext for opening your floodgates of invective on me. Because it was my misfortune to become the channel through which you learned that what you supposed was a secret, was known by men of high standing and character, you felt toward me as men often feel toward the innocent bearer of evil tidings. That is the most charitable supposition on which I can account for the last three pages of your letter. Your success in forging a long chain of hypotheses emboldened you to add a link or two more, that you might reach the position to which you found you could not climb by the hard ascent of truth and fact. Once there, you pour your flood upon the "slanderer's" head. This is mere acting on your part, and you know it to be so. I am not the man you are letting out your tide of gall and wormwood upon; he is purely a creation of your own whom you have set up for the purpose of relieving yourself. You know that I have told you over and over again, that if you could show me that I had at any time wronged you by word or deed, I would leave nothing undone to render you the amplest satisfaction. But you have never done so. In fact you have treated with open contempt every such request, and assumed the most extraordinary right of demanding reparation while refusing to say that you had really suffered wrong. Ay, worse than this; after attributing to me conduct and character which you know belonged not to me at all, but to your slanderer begotten of violent hypothecon, you coolly tell me that I have to thank you for great forbearance and moderation, and for not being made 'to suffer at your hands in a manner that would have lastingly affected me in all my interests.' I thank you neither for forbearance, nor moderation, nor clemency; but remind you that your allusion to such an obligation betrays the conviction of your own mind that there are no just grounds for what you have pretended to inflict, since were it otherwise, by no charity of speech could it be characterized as a light and temporary infliction.

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I have told you consistently from the first that I had no wish to defeat any right or escape any obligation whenever you should possess the one or be entitled to impose the other; and as necessary to the legitimate assumption of these by you, I have courteously and repeatedly sought your compliance with two simple preliminaries, each of which was manifestly in the interests of right and in perfect accord with the impulses of an ingenuous mind. You yielded an ungracious compliance with the first, but have persistently refused compliance with the second, though you have adduced no satisfactory considerations in support of your act. *By your own refusal* you deliberately shut off the very explanation you have professed to be seeking. And with this fact staring you in the face, you venture to address me as though I had defeated your lawful efforts, and with a boldness that is sublime, attribute to me almost every motive that dwells in an evil heart.

Face to face with the unimpeached and unimpeachable statements now before you, you have presumed to judge me guilty of "insulting evasion," "petty artifices," "miserable sophistries," &c., &c., and designate me "a malicious slanderer," "a malignant man," "a man regardless alike of the restraints of truth and of a just respect for the reputation of another." A calm and juridical review of the whole case must convince you, if you are open to conviction, that this is the unrighteous judgment of passion and wounded pride. Such a review cannot fail, also, to discover the obligation resting upon you to reverse your judgment as between yourself and me, by exchanging that of resentment and passion for the only one entitled to respect—that of truth and soberness. You will, therefore, acknowledge that I do but justice in returning your decision for readjudication and reversal; and in disclaiming all right whatever to that which must remain inalienably your own:—"you have yet to learn the obligations of truth and justice, to be taught that there is more wisdom in Candour than in Cunning, that Artifice and Truth hold no companionship."

I am sir,

Your obedient servant,

E. M. SAUNDERS.

To the Hon. Judge JOHNSTON.

P. S.—My previous statement respecting the delivery of your letter unsealed was certainly correct as a simple inspection of the envelope will show; and the fact of its publication previous to its reception by me has reached me from reliable sources.

## (COLLATERAL.)

I.

HALIFAX, Jan. 13th, 1871.

DEAR SIR,—Judge Johnston has just shewn me a letter from you in which you say respecting the letter I delivered you a few days since, *that I took it unsealed from my pocket while in your study, and after putting it in an envelope which I had previously laid on your table, gave it unsealed to you.*

This is not the truth. You received the letter from my hand precisely as I received it from the Judge's—in an envelope; and the letter was never out of the envelope in your study.

I am greatly surprised to find you making a statement for which there is not a shadow of a foundation.

I am yours,

J\*\*\*\*\*

Rev. E. M. SAUNDERS.

2.

HALIFAX, Jan. 17th, 1871-

DEAR SIR,—I received your letter late on Saturday evening. I was much surprised to find that you had been mistaken in any of the details connected with the delivery of Judge Johnston's letter to me. I entered into particulars that the Judge might see that you did not conceal from me your knowledge of the letter being unsealed.

I recollect among other things the following particulars of what occurred. You spoke of the conveniences of my study, and of arrangements made by yourself for a room of the kind in your own house. This conversation then turned upon the holidays, and then upon your late, dear mother and her great fondness for the *Christian Messenger*. At this point our familiar chat was interrupted by yourself. You assumed stern countenance, and looking at me you said, "I have your death warrant." In reply I asked what do you mean by that? You then rose from your seat and as you came towards me you took letters from an envelope and handed them to me, saying: 'Take these as "preliminary." I took them from your hand, and before I had finished reading the first one, you said, 'They are "genoowine," "aint" they.' To this I made no reply. It struck me that taking advantage of our long and familiar acquaintance you were indulging in big jokes. When I had finished reading the letters I asked you if you would allow me to copy them, you replied "certainly." 'To expedite business,' you said, 'I will copy one.' I finished copying one letter and then I corrected your copy. I then asked you what object you had in bringing the letters to me. You made answer, 'I have no object, but I brought them at Judge Johnston's request.' I also asked you where Judge Johnston got the letters, and you said you did not know. I asked you if Judge Johnston wanted a report, you replied—"no," but you added 'I have a letter from him to you.' You then took a letter from your pocket, and looking around enquired for an envelope, as if you had laid one



down somewhere. I then either pointed to one on my table, or else handed it to you. We were standing near each other. You took this envelope and put the letter into it which you had taken from your pocket, and then you handed it to me. These things which took place in my study I have related as they appeared to me. How you could have been mistaken or how I could have been mistaken in any of these details is a matter that I cannot explain.

What I complain of is that the letter came to me unsealed—that its contents were not kept within the bounds of privacy.

If you will write me that as far as you know you received the letter sealed from Judge Johnston, and that you neither saw nor heard its contents or any portion of them, and that as far as you know the letter remained sealed until you gave it to me, I shall be bound to accept your statements, and regard the delivery of the letter unsealed as an inadvertency.

Truly yours,

E. M. SAUNDERS.

To Mr. J ———.

3.

HALIFAX, Jan. 26th, 1871.

DEAR SIR,—I would have replied to your's of the 17th inst., sooner, but have been absent from the city for a few days. As I have no inclination or purpose to enter into any further correspondence with you please consider this as my last letter on the subject.

You have again repeated in your letter to me, in terms even more offensive than before, the untruthful statement made to Judge Johnston, viz: that I took the Judge's letter from my pocket without envelope or seal and putting it in an envelope I had previously laid on your table delivered it to you unsealed.

You have also mentioned certain other particulars which you say occurred at our interview. Some of which took place, others are as erroneously stated as the principal misstatement. As these do not touch the point at issue I will say nothing of them, but will mention some facts that do affect it.

I received from the Judge two envelopes with enclosures. One addressed to you sealed—the other envelope unsealed containing the letter and postscript from you to Mr. Cox. The latter envelope contained some such superscription as this. "Mr. Saunder's letter to Mr. Cox." I placed these envelopes with their enclosures in separate pockets—and there they remained until taken out in your study. I first took out the envelope with the Cox letter—handing you the enclosures—and when you requested leave to take a copy, laying the envelope upon your table, for the purpose of helping you. After you returned the enclosures to me I replaced them in the envelope, and put it back in my pocket.

I then for the first time took from my other pocket the Judge's letter which appeared to be and I believe was sealed and handed it to you. As to these facts it is physically impossible I should be mistaken for otherwise it would involve the necessity while on my way to your House, of my taking the Judge's letter from my pocket

—breaking it open, taking the letter out, and putting it back in my pocket without replacing it in the envelope.

I am thus explicit as to particulars for this purpose. They are too simple and plain to have been forgotten by me, and therefore place you in one of these positions—Either you have deliberately stated what you knew to be false; or else some confusion of the moment unaccountable to me—has rendered you oblivious of the real facts.

Although I feel myself forced to adopt the latter as correct. I certainly should accept it with less hesitation were it not for the closing paragraph in your letter, which seems to give color to your whole conduct in this matter.

These are your words. "If you will write me that as far as you know you received the letter sealed from Judge Johnston, and that you neither saw nor heard its contents or any portion of them, and that as far as you know the letter remained sealed until you gave it me, I shall be bound to accept your statements and regard the delivery of the letter unsealed as an inadvertency."

Of this proposal I have only two things to say—first that it is a piece of impertinence unworthy of you as a man and a christian. I had already in my last honestly told you "that you received the letter from my hands precisely as I received it from the Judge's—in an envelope—and the letter was never out of the envelope in your study." You say to me therefore in effect "although you have asserted the letter was properly enclosed I don't believe you, but if you confess to me you don't know anything of the contents of the letter I will believe you."

Of what concern is it to you whether or not I knew the contents of the letter. Assuming that I had read or heard it read what has that to do with the untruthful charge that the letter was unsealed and not in an envelope. As it would be insolent in me to make such a demand of you in respect to any letter of which you might be the bearer to me, so is it equally insolent and unmanly for you to make such a proposal the condition of "accepting my statements."

It is also disingenuous, as my compliance with it could in no wise correct there collection of either of us respecting the point at issue—the proposal must have been made for some other and unavowed object.

Say I am ignorant of what was in the letter—how can you as an honest man make it the ground of "accepting my statements." Much more, how can you honestly do so at the sacrifice of your recollection and conviction of the real facts?

I am yours,

J\*\*\*\*\*

Rev. E. M. SAUNDERS.

4.

HALIFAX, Jan, 28th, 1871.

Dear Sir.—I am pained and grieved by your letter of yesterday. I am sure you not only do me injustice, but your self as well. And if you will have the patience and kindness to read this letter, you can hardly fail to admit this to be so.

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You speak of my "untruthful statement made to Judge Johnstone",—the principal feature of which was that I received his letter unsealed; and again you say, "the untruthful charge that the letter was unsealed." You affirm that you received the letter from the Judge "sealed;" and once more, "it appeared to be and I believe was sealed;" of this as well as of other of your recollections you say, "it is physically impossible that I should be mistaken."

But you *are* mistaken and I have the means of convincing you that you are. I have by me the envelope which enclosed the letter, and a simple inspection of it will satisfy you that it has never been sealed. The mucilage on the flap has not been moistened, and there has not been adhesion beneath. You are free to examine the envelope whenever you wish. Be good enough to hear me a little further. The Judge had used slanderous language of me in that letter. You will certainly allow that it is some 'concern of mine' whether he published the same to you before the letter was placed in my hands. You know that the sending of such a letter to me unsealed was an offence of the gravest kind. When, therefore, you told me that I had misrepresented the matter to the Judge, and affirmed that the offence had never been committed, I detailed quite fully what took place in my study, that your memory might be refreshed, and that you might see that mine was not in any way confused. That your recollection differed from mine you had distinctly affirmed, and I recognized this as a fact in the nature of the request which I preferred to you. You characterize my request as "a piece of impertinence and unworthy of a man and a christian," and as "disingenuous." Now, it was my duty to believe that your representation of what took place in connexion with the delivery of the letter was meant to be correct, although my recollection would not allow me to receive it as correct, and I knew that the letter was unsealed. When in view of this knowledge, I said that if you could assure me that you were unacquainted with any of its contents—that for which the Judge was accountable to me—I should consider myself bound "to regard the delivery of the letter unsealed as an inadvertency." Could I have required less in order to free the Judge from an intentional offence against myself? And you should not forget that having imposed upon me the necessity of making such enquires you are not at liberty to interpose your own sense of what is becoming in me or otherwise in order to avert from Judge Johnston the consequences of his act. You may deem the enquiry "impertinent" and "disingenuous," but a little consideration ought to convince you that it was both pertinent and straightforward. From what I have now written you must see that when I wrote you, in substance, that although my recollections were such as prevented me receiving yours as correct, yet I should freely accept your deliberate statement that you were unacquainted with the contents of the letter, I uttered nothing absurd or justly offensive. You had stated that I 'received the letter from your hands precisely as you received it from the Judge's.' I knew that it was unsealed, and that you must have so received it from the Judge. But had you been able to say that you knew

nothing of its contents, I certainly could as "an honest man," and a sensible christian man accept such a statement as absolving the Judge from the intentional publication of slander against me without at all sacrificing my "recollection and conviction of the real facts" connected with the actual delivery of the letter. And a little reflection cannot fail to shew you this. I might fairly complain of the language and spirit of your letter, for I am sure they are quite unworthy of you. My motives have certainly been obvious enough and my doings plain enough had you allowed yourself to look at them simply.

Truly yours,

E. M. SAUNDERS.

J. \*. \*\*\*\*\* Esq.

(To the above there was no reply.)

5.

HALIFAX, Feb. 2nd, 1871.

DEAR SIR,—I have a letter of yours in which you say that the "Pryor case" was the grand cause of the expulsion of Mr Rand from the office of Superintendent of Education and the appointment of Mr. Hunt in his place.

As Judge Johnston professes to have received from you some papers on this subject, I may say that if you have furnished any such papers, I shall regard myself at liberty to use your letter should it be required.

Truly yours,

E. M. SAUNDERS.

Rev. G. D. Cox.

6.

HILLSBURGH, Feb. 6th, 1871.

TO REV. E. M. SAUNDERS.

Dear Sir,—I received a letter from you last week of a strange nature, I must confess.

You say in it "that you have a letter of mine in possession, in which I say that the "Pryor case" was the grand cause of the expulsion of Mr. Rand from the office of Superintendent of Education, and the appointment of Mr. Hunt in his place."

I suppose you have a letter of mine in your possession, dated Feb. 14th, 1870, in which I say, "Perhaps some of us who are acquainted with that unhappy affair (I refer to the Pryor case) can form some idea of the cause of all this; this I have no doubt in my own mind is the grand cause." I saved a copy of the letter which I now hold in my possession. Is this saying that the "Pryor case" "was the grand cause of the expulsion of Mr. Rand from the office of Superintendent, and the appointment of Mr. Hunt in his place," as you affirm it does? I say it does not. I am surprised at you. Why did you say in your letter to me last winter, "that Mr. Hunt had declared himself in favour of Separate Schools, and that Judge Johnston was concerned in a plot to have Mr. Rand expelled from the office of Superintendent of Education, in favour of Roman Catholics?"

I would just say that I have not furnished Judge Johnston with any paper, or papers at any time sent to me by you or any other

person concerning this subject, nor do I wish to meddle myself with the matter. I had nothing to do with Mr. Rand's expulsion, or the appointment of Mr. Hunt in his place. If Mr. Rand had continued in the office I would have been satisfied, and when Mr. Hunt was appointed in his place, I did not feel disposed to complain.

Your cool letter has not been pleasant to me at all. I would just say that when Mr. Hunt was down to Clements last summer, I lent him a letter to read sent by you to me, this I did at his request; he took it home with him, and showed it to the Judge, this was not with my consent. I hope the matter will be settled without any trouble.

Yours very truly,

G. D. Cox.

7.

HALIFAX, Feb. 10th, 1871.

DEAR SIR,—I have just read your letter of the 6th inst. Writing in Feb., 1870, about the expulsion of Mr. Rand from the office of Superintendent of Education, and the appointment of Mr. Hunt in his place you said: "We all think it a most strange affair." *Think what a "strange affair"?* "Perhaps some of us who are acquainted with that unhappy controversy (I refer to the Pryor case) can form some idea of the cause of all this."

"The cause of all this." Of *What?* "This"—the Pryor case—"I have no doubt in my own mind is the grand cause." "The grand cause" of *What?* I did not profess to quote your language in my note, but gave its obvious sense; and as I am unable to attach any other meaning to your words than that which my note has already conveyed, I shall be glad if they can fairly bear any other import to have your own explanation of them.

Shall I be right in understanding what you say about not having furnished any papers to Judge Johnston as implying that you did not give your consent for him to lay before me any papers belonging to you?

I may say that I am prepared to justify any statements whenever they shall be denied, which I may have made to you in connexion with the dismissal of Mr. Rand from the office of Superintendent of Education.

Very truly yours,

E. M. SAUNDERS.

Rev. G. D. Cox.

(No reply was ever received.)